

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

**LORENE E. SMITH, Personal  
Representative of the Estate of  
Charles E. Smith, et al.,**

**Plaintiffs,  
vs.**

**FIVE STAR QUALITY CARE - NE,  
LLC, a Delaware Limited Liability  
Company,**

**Defendant.**

**4:13CV3096**

**ORDER**

This matter is before the court following a telephone conference with counsel on April 4, 2014. Robert M. Sullivan represented the plaintiffs. Matthew M. Enenbach represented the defendant. Counsel represent the parties tentatively reached a settlement agreement. However, in light of the plaintiff's passing, the parties need to secure the appointment of a personal representative to represent the deceased plaintiff in probate matters before proceeding to settlement. After allowing time for the appointment of a personal representative, the court will hold a telephone conference to discuss the status of this case. Accordingly,

**IT IS ORDERED:**

The court will hold a telephone conference on **May 5, 2014, at 10:00 a.m.** Plaintiffs' counsel shall initiate the conference with the undersigned magistrate judge and participating counsel.

Dated this 4th day of April, 2014.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge